

## REMARKS

The present amendment and remarks are in response to the office action entered in the above identified case and mailed on February 9, 2004. Claim 49-96 are pending in the application. Claim 51 was rejected under 35 U.S.C. §112 because the phrase "model data" was unclear. Corrective action has been taken. Claims 49, 52-53, 55-64, 67-68, 70-79, 82-83, 85-93 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,263,330 to Bessette. Claims 50, 51, 54, 65, 66, 69, 80, 81 and 84 were rejected under 35 U.S.C. §103 as being unpatentable over Bessette in view of U.S. Patent No. 5,969,721 to Chen et al. With this amendment Applicants have amended the independent claims of the present application to more clearly distinguish the present invention over the art of record. Claim 59 has been canceled. Based on these changes Applicants respectfully request that the remaining claims be allowed and the application moved to issue.

Taking independent claim 49 as an example, the structure of the claim as been altered by removing detail from the preamble and positively claiming a number of features in the body of the claim. These features include means for reading out measured data based on three-dimensional shape information and texture information on a body, as well as reading out protection information for protecting the measured data from being read out. The claim also calls for means for performing prescribed processing which has now been defined as generating feature parameters on a model. These elements are not taught by Bessette.

Bessette teaches a method and apparatus for the management of data files. Bessette teaches security measures for protecting patient data in a medical database and teaches methods for allowing medical professionals to efficiently search databases and call up medical records and the like. The security measures include retinal scans and sensing other biological features as well (Col. 7 lines 49-51). The Examiner points to the recording of a biological signature as

teaching three-dimensional information of a body which is stored and read out. At column 11 Bessette states that in the future a three-dimensional view of the human body may be available to doctors and consultants logged onto the NDSMR server used for making requests, medical inquiries and searches. However, Bessette does not teach employing shape and texture data measured from a body for the purpose of generating feature parameters on a model, as is now called for in claim 49. Accordingly, claim 49 as amended is not anticipated by Bessette, and should be allowed.

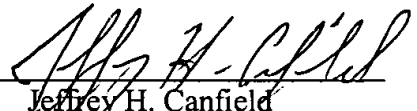
Similar changes have been made to the remaining independent claims, and all are now in condition for allowance for the same reasons. Furthermore, since neither Bessette nor Chen et al. teach all of the elements of the independent claims, it follows that the dependent claims must be allowed as well. Therefore, Applicants respectfully submit that all of the pending claims are now in condition for allowance.

For these reasons, Applicant respectfully submits that the claims as presently amended are all in condition for allowance. Applicant therefore requests that the Examiner allow the claims move the application to issue. However, if there are any remaining issues the Examiner is encouraged to call Applicants' attorney, Jeffrey H. Canfield at (312) 807-4233 in order to facilitate a speedy disposition of the present case.

If any additional fees are required in connection with this response they may be charged  
to deposit account no. 02-1818.

Respectfully submitted,

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